



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/980,517	02/28/2002	Kenji Inose	SONYJP-150	5399

530 7590 07/07/2006

LERNER, DAVID, LITTENBERG,
KRUMHOLZ & MENTLIK
600 SOUTH AVENUE WEST
WESTFIELD, NJ 07090

EXAMINER

AGHDAM, FRESHTEH N

ART UNIT	PAPER NUMBER
----------	--------------

2611

DATE MAILED: 07/07/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/980,517	Applicant(s) INOSE ET AL.	
	Examiner Freshteh N. Aghdam	Art Unit 2611	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 April 2006.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments

Applicant's argument, see page 5, filed 4/21/2006, with respect to the rejection(s) of claim(s) 1-6 under Na (US 6,366,731) and Kimoto (US 2002/0049972) have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Na and Horisawa (EP 0 966 157).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Na et al (US 6,366,731), and further in view of Horisawa (EP 0 966 157).

As to claims 1 and 6, Na teaches a receiving apparatus that receives a signal via transmission medium, comprising: receiving and demodulating means; control means for controlling the receiving and demodulating; the receiving and demodulating including: interface means for transmitting and receiving from the control means, a command set defined in advance with a given communication protocol; and a process control means for converting control command into recognizable data for the processing

Art Unit: 2611

means. Na teaches a receiving and demodulating means (Col. 4, Lines 36-Col. 6, Line2; Fig. 3, means 101, 102, 106, and 107) comprising a tuner, which is the first element after the receiving antenna as a receiving means of an incoming signal; and a channel decoder, and further audio and video decoders for demodulating the incoming signal. Na teaches a control means (Col. 6, Lines 35-; Fig. 3, means 102 and 103) for controlling the receiving and demodulating and generating a control command at the output of the switching controller 103 responsive to control data received at the control input (Fig. 3, means 102, 103, and 114). Na teaches the receiving and demodulating means including an interface means for transmitting and receiving form the control means. The interface means, an IEEE 1394 serial bus, is represented by a dotted line, between the ATV (Advanced Television) and the HD-VCR (High-Definition-Digital Video Cassette Recorder) see (Fig. 3; Col. 1, Lines 9-29). Na teaches the receiving and demodulating means including command set defined in advance jointly by the interface means and the control means in accordance with a given communication protocol (Col. 1, Lines 9-29) called the Audio/Video Control Command and Transaction Set (AV/CTS). Na teaches a process control means for converting control command into recognizable data (control) for the processing means. The parsers (Fig. 3, means 104, 105, 108, and 112; Col. 5, Lines 9-22; Col. 6, Lines 37-) process PSI (Program Specific Information), PAT (Program Association Table), PMT (Program Map Table), PIDs (Packet Identification Numbers), and CAT (Conditional Access Table) data from the incoming signal in order to correctly process the input signal (Col. 4, Lines 45-67). Na teaches the process control means containing a control program corresponding to at

Art Unit: 2611

least one of the kinds of transmission media (Fig. 3, means 101; Col. 5, Lines 9-22; Col. 6, Lines 37-). Na is silent about a receiver capable of receiving a signal via a plurality of different kinds of transmission medias; and producing control data depending upon a kind of transmission medium over which said signal was received. Horisawa teaches a receiver capable of receiving a signal via a plurality of different kinds of communication mediums; and therefore, producing control data depending upon a kind of transmission medium over which said signal was received (Abstract; Par. 5-6, 8-9, 11, 14, and 16-17). Therefore, it would have been obvious to one of ordinary skill in the art to combine the teaching of Horisawa with Na in order to enable a single set top box (STB) to cope with different communication systems instead of multiple STBs to cope with different communication systems (mediums) by receiving and producing control data depending upon a kind of transmission medium over which said signal was received (Par. 5-7).

As to claim 2, Na teaches a receiving apparatus, comprising a control command set which is predefined, independent of the transmission medium. The control command set taught by Na is the AV/C CTS (Col. 1, Lines 1-29).

As to claim 3, Na teaches a receiving apparatus, comprising the control command can be sent from a remote controller to a local device via the IEEE 1394 serial bus (Col. 1, Lines 9-29).

As to claim 4, Na teaches a receiving device comprising a process control means for converting control command into recognizable data for the processing means. The parsers (Fig. 3, means 104, 105, 108, and 112) process PSI, PAT, PMT, PIDs, and CAT

Art Unit: 2611

data from the incoming signal, in order to correctly process the input signal (Col. 4, Lines 45-67).

As to claim 5, Na teaches a receiving device, comprising a bus where the bus is an IEEE 1394 serial bus (Col. 1, Lines 9-29).

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Ogasawara (US 6,543,052) see figure 3 and claim 33; and Shah-Nazaroff et al (US 6,671,880) see column 1, line 34-56.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Freshteh N. Aghdam whose telephone number is (571) 272-6037. The examiner can normally be reached on Monday through Friday 9:00-5:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chieh Fan can be reached on (571) 272-3042. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2611

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Freshteh Aghdam
June 28, 2006


KEVIN BURD
PRIMARY EXAMINER